

MICHAEL J. GARCIA
United States Attorney for the
Southern District of New York
Attorney for Defendants
By: SHANE CARGO
ELIZABETH WOLSTEIN
Assistant United States Attorneys
86 Chambers Street
New York, New York 10007
Telephone (212) 637-2711/2743
Facsimile (212) 637-2786/2702

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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ADRIANA AGUILAR, ANDRES LEON, ELENA :
LEON, ERIKA GABRIELA GARCIA-LEON :
through her Next Friend Adriana Aguilar, :
CARSON AGUILAR through his Next Friend :
Adriana Aguilar, NELLY AMAYA, MARIO :
PATZAN DeLEON, DAVID LAZARO PEREZ, :
WILLIAM LAZARO, TARCIS SAPON-DIAZ, :
SONIA BONILLA, BEATRIZ VELASQUEZ :
through her Next Friend Sonia Bonilla, DALIA :
VELASQUEZ through her Next Friend Sonia :
Bonilla, ELDER BONILLA, DIANA :
RODRIGUEZ, YONI REVOLORIO, JUAN JOSE :
MIJANGOS, GONZALO ESCALANTE, YANET :
MARTINEZ, RAUL AMAYA, GLORIA :
VANESSA AMAYA, JOHN DOE #1, JANE DOE :
#1, JOHN DOE #2 through his Next Friend Jane :
Doe #1, JOHN DOE #3 through his Next Friend :
Jane Doe #1, JOHN DOE #4, and JOHN DOE #5 :
on behalf of themselves and all others :
similarly situated, :
:

Plaintiffs, :

- v. - :

IMMIGRATION AND CUSTOMS :
ENFORCEMENT DIVISION OF THE UNITED :
STATES DEPARTMENT OF HOMELAND :
SECURITY, MICHAEL CHERTOFF, United :
States Secretary of the Department of Homeland :
Security, JULIE L. MYERS, Assistant Secretary :

ECF Case

07 Civ. 8224 (JGK)

DECLARATION OF
ELIZABETH WOLSTEIN

of Homeland Security for Immigration and :
 Customs Enforcement, JOHN P. TORRES, :
 Director of the Office of Detention and Removal :
 Operations, Immigration and Customs :
 Enforcement, CHRISTOPHER SHANAHAN, :
 New York Field Office Director for Detention :
 and Removal Operations, PETER J. SMITH, :
 JOSEPH A. PALMESE, JOHN and JANE DOE :
 ICE AGENTS, and JOHN ROE and JANE ROE :
 ICE SUPERVISORS, :
 :
 Defendants. :
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ELIZABETH WOLSTEIN hereby declares, pursuant to 28 U.S.C. § 1746, as follows:

1. I am an Assistant United States Attorney in the office of Michael J. Garcia, United States Attorney for the Southern District of New York. In this capacity, I am one of the principal attorneys assigned to represent the defendants in this action.
2. On October 5, 2007, plaintiffs served an order to show cause seeking a temporary restraining order and expedited discovery. The motion did not include discovery requests.
3. On October 17, 2007, plaintiffs served an order to show cause seeking expedited discovery, which included document requests, interrogatories, and deposition notices.
4. In an effort to settle plaintiffs' October 17, 2007 motion for expedited discovery, defendant Immigration and Customs Enforcement produced to plaintiffs more than 800 pages of policy and training materials relating to warrantless searches and administrative arrests.
5. Annexed hereto as Exhibit A is a true copy of plaintiffs' amended complaint in this action.
6. Annexed hereto as Exhibit B is a true copy of plaintiffs' proposed Order to Show

Cause for a Temporary Restraining Order and Expedited Discovery, dated October 5, 2007.


7. Annexed hereto as Exhibit C is a true copy of the transcript of proceedings held before the Honorable John G. Koeltl on October 9, 2007, in the above-captioned action.

8. Annexed hereto as Exhibit D is a true copy of the transcript of proceedings held before the Honorable John G. Koeltl on October 5, 2007, in the above-captioned action.

9. Annexed hereto as Exhibit E is a true copy of the transcript of proceedings held before the Honorable John G. Koeltl on October 22, 2007, in the above-captioned action.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on December 7, 2007.


Elizabeth Wolstein